

**DEFINITION OF DISABLED VETERAN BUSINESS ENTERPRISE  
MILITARY AND VETERANS CODE SECTION 999**

"Disabled veteran" means a veteran of the military, naval, or air service of the United States, including, but not limited to, the Philippine Commonwealth Army, the Regular Scouts ("Old Scouts"), and the Special Philippine Scouts ("New Scouts"), with a service-connected disability who is a resident of the State of California.

"Disabled veteran business enterprise" means a business concern certified by the administering agency as meeting all of the following requirements:

- (1) It is a sole proprietorship at least 51 percent owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is owned by one or more disabled veterans; a subsidiary which is wholly owned by a parent corporation, but only if at least 51 percent of the voting stock of the parent corporation is owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture's management and control and earnings are held by one or more disabled veterans.
- (2) The management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business concern.
- (3) It is a sole proprietorship, corporation, or partnership with its home office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.

California Code of Regulations, Title 2, Section 1896.94

In order to obtain DVBE certification credit, a certification for that DVBE **must** be on file with the California Department of General Services, Office of Small Business and DVBE Certification (OSDC). A copy of the certification from OSDC **must** be submitted with the bid or proposal.

The Certification must comply with the following requirements:

- Meet all requirements set forth in Article 6 (commencing with Section 999) of Chapter 6, Division 4 of the California Military and Veterans Code; and
- Provide to OSDC, by no later than 5:00 p.m. on the date on which the subject bid is opened, an Award of Entitlement from the United States Department of Veterans Affairs or the United States Department of Defense, issued within six (6) months of the date on which certification is sought, which would certify or declare the existence of a service-related disability, of at least 10 percent, at the time of application for or renewal of certification as a DVBE.

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CONTRACTOR, SUBCONTRACTOR, OR SUPPLIER**

Any person or entity that satisfies the ownership (or management) and control requirements of CCR Title II, Section 1896.61(f); is certified in accordance with CCR Title II, Section 1896.70; and provides services or goods, which contributes to the fulfillment of the contract requirements by performing a commercially useful function. A DVBE contractor, subcontractor or supplier is considered performing a commercially useful function when it meets the following criteria:

- (1) The business concern is: responsible for the execution of a distinct element of the work of the contract; carrying out its obligation by actually performing, managing or supervising the work involved; and performing work that is normal for its business services and functions, and
- (2) The business concern is not further subcontracting a greater portion of the work than would be expected by normal industry practices.